

MOSER LAW FIRM, PC



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VIA ECF

Hon. Natasha C. Merle, USDJ  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East Courtroom 2F North  
Brooklyn, NY 11210

Re: *Hernandez, et ano v Rosso Uptown Ltd, et al*, Case No. 20-cv-04026-NCM-SIL

Dear Judge Merle:

Please accept this letter in response to (1) Defendants' Objections to Magistrate Judge Locke's Report and Recommendation which were filed on December 17, 2024 (ECF No. 105), and (2) Defendants' "Reply to R&R" dated December 26, 2024 (ECF No. 106).

Objections to a Report and Recommendation are to be "specific and are to address only those portions of the proposed findings to which the party objects." *Camardo v. General Motors Hourly-Rate Employees Pension Plan*, 806 F. Supp. 380, 381-82 (W.D.N.Y. 1992). In the event a party's objections are conclusory or general, or simply reiterate original arguments, the district court reviews the Report and Recommendation for clear error.

*Houston v. Manheim-New York*, 2011 U.S. Dist. LEXIS 27066, at \*5 (S.D.N.Y. Mar. 15, 2011).

Rosso Uptown's submissions at DE 105 and 106 offer non-specific objections and reiterate arguments previously made.

Judge Locke noted in his R&R that on "March 25, 2021 the Court granted Defendants' counsel's motion to withdraw" and gave Rosso Uptown, Ltd. until May 9, 2021 to retain counsel. *See* R&R, at 4. Rosso Uptown has failed to do so. As Rosso Uptown has not offered any reason why it has not retained counsel for the past four years, we respectfully request that the Report and Recommendation be adopted and that the Defendants' request for a "stay" be denied.

Prior to submitting this letter to the Court I served to each email address used by the defendants.

Respectfully submitted,

*Steven J. Moser*

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